

STILL DOING BUSINESS AT THE OLD STAND

New Electric Theatre

This Week's Bill Is One of the Best Moving Picture Shows Ever Thrown on the Canvas

Open Sunday at 6 p. m.

"Just Like Home"

Wykes's

Extraordinary Values

DRESS SKIRTS

Great Reductions

\$5 AND \$6 DRESS SKIRTS FOR \$3.75

STOCKING SPECIAL Ladies' Spliced Sole Stockings, 35c value for 25c. Children's fleece lined extra heavy stockings, 20c value for 12 1/2c.

THE M. M. WYKES CO
2335 Washington Avenue.

RANDOM REFERENCES

In Big Demand—"Just a little better than good enough" are the selections on the bango and guitar which are being rendered by McMillan and Mansfield at the Folio. So popular have they become that the management suggests that parties wishing to reserve booths phone early in the evening. Bell 167, Ind. 94.

Dr. Gilbert Bancroft, leading psychologist of this country, and Australia, at the Weber Academy Lecture hall, Monday evening, Feb. 15th. Season tickets admit.

Supt. Whitney in Omaha—Superintendent W. A. Whitney of the Utah Division of the Union Pacific is at Omaha in conference with General Superintendent W. L. Park, now at the helm once more, and is expected to arrive at Ogden and resume his official duties the first of the week.

WANTED—Women clerks, Lewis Shoe Market, Retiring Sale, 2343 Washington Ave.

Special excursion for Carey act land locators Tuesday night, February 16, from Ogden to Burtner, Millard county, Utah. For further information see Wenger & Rostan, room 415, Eccles building.

Thomas C. Schumaker—Thomas C. Schumaker, formerly connected with the Oregon Short Line system, with headquarters at Ogden, but now general traffic manager of the El Paso Southwestern system with general offices in Chicago, arrived from the

Orpheum Theatre

Sunday night will be the last night of this week's pictures, a bill of unusual merit.

The College Story of the KING OF THE RING. A beautiful story true to the life of the Great Tragedy Poet EDGAR ALLEN POE. A pathetic story of race conditions in the South.

THE OCTOBER. Instructive and entertaining views.

LECTURETTE ON ROME. The beautiful song "WHAT IS LIFE TO ME?" By Miss Ballinger. Our Music Is Excellent.

COME TO THE FIRST SHOW at seven o'clock. Our middle shows are crowded.

Continuing Wednesday 17th, we will begin our popular Souvenir Matinees for Ladies. Watch this paper for announcements and "TIME YOUR WATCH BY THE ORPHEUM CLOCK."

FOUR YOUNG MEN ON A MISSION

MISSIONARIES ARE PROVIDED WITH A SPECIAL CAR.

They Will Sail From Portland, Maine, for Liverpool—Second Call for Three of Them.

D. Ray Shurtliff, Frank Peery and Benjamin E. Critchlow left Friday evening for England, where they will enter the missionary field of the L. D. S. They joined a party of seventeen others from Salt Lake and vicinity, a special car having been provided for their use between Ogden and Chicago.

The party will sail from Portland, Maine, for Liverpool, where the various assignments will be made. Thomas E. McKay, who left several days ago for the east, intending to visit Washington D. C. before the date of sailing, will join the party at Portland and proceed to Berlin.

D. Ray Shurtliff has been called for duty as clerk of the Liverpool office of the British mission. Mr. Shurtliff is well known in Ogden, being a nephew of President L. W. Shurtliff, and having recently held the position of clerk of Weber Academy. He was a member of the Sunday school board before the division of Weber stake and has taught in several departments of Weber academy, including bookkeeping and penmanship.

Thomas E. McKay, resigned from the superintendency of the Weber county schools, has been placed in charge of the German and Swiss missions. Mr. McKay was formerly a teacher in Weber Academy; also the Utah Agricultural college at Logan. He spent three years as a missionary in Germany and is thoroughly familiar with that field of labor.

Mr. Peery and Mr. Critchlow are both well-known Ogden boys, the former being a son of the late Hon. D. H. Peery. Mr. Critchlow has labored in the missionary field of Scotland before and is returning to his old post at Glasgow to resume work.

MEXICAN COURTS SUSTAIN AMERICAN DIVORCE LAW

Mexico City, Feb. 12.—The Mexican courts, notwithstanding the fact that Mexico has no divorce law, has sustained the divorce law of the United States. Silvio Contril, an Italian architect of this city, was sued for divorce by his first wife, who followed him from Italy, on the ground that they were married in Italy and that that country has no divorce laws. Contril set up the defense that he came to Louisiana, secured a divorce and married there a second time. The Mexican supreme court recognized the Louisiana divorce and second marriage as valid against the wife from Italy.

BOTH GAINED

By Change to Postum.

"We have given Postum over a year's trial," writes a Wis lady, "and our only regret is that we did not try it before. Previously we used coffee twice a day and were very fond of it."

"My husband had been subject to severe attacks of sick headache for years and at such times could not endure the sight or smell of coffee. This led me to suspect that coffee was the cause of his trouble."

"I was also troubled very much with acidity of the stomach and heart palpitation after meals. I had been doctoring for this but had not suspected that coffee was the cause."

"Finally we purchased some Postum and it did for me what the medicines had failed to do. The first day we used Postum I needed less of my own trouble, the second day was entirely free from it and have never been troubled since."

"My husband has been entirely free from attacks of sick headache since he quit coffee and began to use Postum."

"I have heard people say they did not like the flavor of Postum, yet I have served it to them without detection, because it has the color and snappy coffee taste similar to mild high-grade Java. This shows they had not made it right. When made according to directions, pkg. it is as delicious as coffee and besides it is wholesome."

Name given by Postum Co., Battle Creek, Mich. Read "The Road to Wellville," in pkgs. "There's a Reason."

Ever read the above letter? A new one appears from time to time. They are genuine, true, and full of human interest.

JUSTICE COURTS HAVE BEEN ACTING WITHOUT AUTHORITY.

They Are Not Allowed to Enter Judgments on Writ of Garnishment—Important Decision.

According to a recent decision by Judges Lewis and Armstrong, in the Third district court, the justice of the peace courts of the state of Utah have been violating the state laws and overstepping their jurisdiction by causing judgments to be entered upon which levies were made and money paid on writs of garnishment.

Now pending in the court of Justice of the Peace Stanley A. Hanks is a case which will no doubt bring to light the illegal actions on the part of the justices and which will undoubtedly cause the present legislature to enact a law fully covering the matter. In fact, there is a bill now before the senate dealing with the matter.

Some time ago A. Madison & Sons company of Murray brought an action against Mrs. Eliza Thomas of Murray, in the justice court of that place to recover \$255.50. Judgment was entered in favor of the plaintiff for the sum asked. The plaintiffs then served an execution and writ of garnishment on the Zion Savings Bank and Trust company of this city. The bank answered the writ of garnishment, showing that it held on deposit in the name of Mrs. Eliza Thomas \$255.55. Judgment was then entered against the bank, or garnishee, for the amount stated in the answer to the writ of garnishment.

An execution was then issued by the Murray court and given to the sheriff, who served it on the bank, and the money was turned over to the sheriff to be given to the plaintiff in the case, A. Madison & Sons company.

After this procedure, Mrs. Thomas employed attorneys and filed in Justice Hanks' court a writ against the Zion's Savings and Trust company, alleging that it had no right to turn over the money left in its trust on a writ of garnishment issued from a justice court, according to the laws of the state, which read that no court other than a court of record has jurisdiction to cause to be levied on a judgment to enter judgment as was done in this case.

Judge Lewis recently held that garnishment upon an execution cannot issue out of a judgment in a justice of the peace court. In a justice court garnishment cannot issue upon an attachment before judgment, he held. This law is plainly set forth in sections 3090 and 3112 of the Revised Statutes.

According to the law, as stated in those two sections, only a court of record may issue a writ of garnishment on an execution. Justice courts, or the city court, are not courts of record, thus it is only the higher courts that have such jurisdiction.

According to the law, any corporation or business firm which pays out money on the order of a justice court may be held answerable by the parties affected.

For a number of years justice courts have been causing collections on writs of garnishment based on executions, and it is only within a few weeks that this procedure has been shown to be contrary to law.

The discovery that justices of the peace have been exceeding their jurisdiction has caused considerable comment among attorneys, and will come as a surprise to many concerns which have paid money on garnishments issued by justice courts, as they have done so without legal right, and at the risk of being sued for the amount by the parties whom the garnishments might affect.

GOOD POSITIONS SECURED

Miss Mollie Lund, who recently went to Elly at \$80 per month; Clarence Eklund, who has a \$70 position in the S. P. Co.; Roy Parker, also with the S. P. Co., and Miss Eliza O'Neill, who went into Mr. Devoto's office this week, were all students of Prof. Smith's Business College.

OGDEN FLUSHERS WILL BE USED IN CHICAGO, ILL.

Chicago, Feb. 13.—Forty flushing machines will be put into operation in the downtown streets in Chicago in the spring. They are being manufactured in St. Louis at a cost of \$700 each. With these the streets will be flushed thoroughly at least twice a week.

Next Monday We Start Our White Sale

All White Merchandise Included

This is the first sale of its kind we have ever held. It means that any white article of merchandise in any department of our two stores will be offered at keen reductions beginning Monday.

This includes the whole line of white wash goods, white wool goods, embroideries, laces, ribbons, linens, doilies, scarfs, white gloves, white notions, white hosiery, white shoes, white neckwear, white underwear—knit and muslin, white dresses, white waists and skirts, white corsets, white bedding, white curtains, in fact everything that is white.

This is merely our first announcement to prepare you for the detailed list which appears in Sunday's Examiner. Look for it.

Wright's

THEY REPLY TO LEWIS' LETTER

MEMBERS OF CITY COUNCIL REFER TO DISCOURTESIES.

Are of the Opinion That Petty Quibbling and Needless Quarrels Are Handicapping Improvements.

To The Public:—On Feb. 10th Mr. John S. Lewis, in a public letter, accused the city council of a lack of courtesy in conducting business with the board of park commissioners. The council could, with equal justice, claim a lack of courtesy on the part of the board of park commissioners toward the council.

Waiving that phase, however, we note that Mr. Lewis in his letter claims the discourtesy to be in the fact that the council did not appoint a special time and place for a meeting with the board of park commissioners and that the council did not read the report of the board.

He distorts the motion passed by the council at the time the report of the board was submitted, asking the board of park commissioners to meet the council on one of its regular meeting nights, into something entirely different and not intended by the council. No discourtesy was intended, but it appears that Mr. Lewis did not want to appear at a public meeting, which is just what the council did want, and for several reasons. As to not reading the report, we admit that it was not read in council, but it was seen and read by several of the council and fully discussed by all and no purpose would have been served by taking the time of the council to have the report read; it was filed as is usual in such cases of long reports.

But is not all the above simply quibbling and seeking to censure and lay the blame on the council, when the real reason for the attack is that Mr. Lewis is disappointed at the small appropriation made for the park work for the year. He claims that the amount appropriated is only enough to maintain the parks, allowing nothing for improvements. This is just what the council intends the appropriation for and no more. There are now 79 street intersections where the residents have paid for sidewalks and other improvements, that are not supplied with crossings or other improvements, which they want and are entitled to have. It is not possible to make the needed park improvements and at the same time provide these people with the crossings it is their right to have, and which it is the duty of the city to build, for the reason that the money is not to be had for both purposes.

We do not wish to be understood as decrying or opposing park improvements. It is very necessary, as the zeal and efforts of the board of park commissioners to that end are commendable, but we believe that the board members do not fully realize the greater necessity for using the money on the intersections mentioned, as do the members of the council.

While we all want our parks to be in the best possible state of improvement, we think that the people, who having paid for sidewalks, and now find themselves unable to cross the muddy streets between such walks, with no crossings provided to keep their feet from the mud of the street, will be more pleased with crossings that they may go dry shod and free from mud from one sidewalk to another, than they would be with further park improvements, when only one is possible.

If Mr. Lewis really desires to be of service to the citizens of Ogden, instead of resigning from the board and asking that the law be repealed, he should recognize the wisdom of the small appropriation at this time and continue in the good work of administering the laws relating to the parking and planting of trees along streets, etc., as well as the maintenance of the present improvements, which the appropriation will amply cover, well knowing that the council will provide the money for further park improvements as soon as it is possible.

It is our opinion that it would have been more in the line of courtesy had the board of park commissioners personally made the request for the appropriation of \$10,000 instead of asking a member of the council to do so. Further, we believe the law creating the board of park commissioners a good one and would be pleased, indeed, if the same could be continued in good-will and harmony; but if there is to be so much of petty quibbling and needless quarrels over matters of courtesy, we believe it would be better to repeal said law.

(Signed)

SAMUEL THOMAS, CHRIS FLYGARE, J. B. DANA, J. J. HUMPHRIES, GEA. W. WILSON, Members of City Council.

dents have paid for sidewalks and other improvements, that are not supplied with crossings or other improvements, which they want and are entitled to have. It is not possible to make the needed park improvements and at the same time provide these people with the crossings it is their right to have, and which it is the duty of the city to build, for the reason that the money is not to be had for both purposes.

We do not wish to be understood as decrying or opposing park improvements. It is very necessary, as the zeal and efforts of the board of park commissioners to that end are commendable, but we believe that the board members do not fully realize the greater necessity for using the money on the intersections mentioned, as do the members of the council.

While we all want our parks to be in the best possible state of improvement, we think that the people, who having paid for sidewalks, and now find themselves unable to cross the muddy streets between such walks, with no crossings provided to keep their feet from the mud of the street, will be more pleased with crossings that they may go dry shod and free from mud from one sidewalk to another, than they would be with further park improvements, when only one is possible.

If Mr. Lewis really desires to be of service to the citizens of Ogden, instead of resigning from the board and asking that the law be repealed, he should recognize the wisdom of the small appropriation at this time and continue in the good work of administering the laws relating to the parking and planting of trees along streets, etc., as well as the maintenance of the present improvements, which the appropriation will amply cover, well knowing that the council will provide the money for further park improvements as soon as it is possible.

It is our opinion that it would have been more in the line of courtesy had the board of park commissioners personally made the request for the appropriation of \$10,000 instead of asking a member of the council to do so. Further, we believe the law creating the board of park commissioners a good one and would be pleased, indeed, if the same could be continued in good-will and harmony; but if there is to be so much of petty quibbling and needless quarrels over matters of courtesy, we believe it would be better to repeal said law.

(Signed)

SAMUEL THOMAS, CHRIS FLYGARE, J. B. DANA, J. J. HUMPHRIES, GEA. W. WILSON, Members of City Council.

dents have paid for sidewalks and other improvements, that are not supplied with crossings or other improvements, which they want and are entitled to have. It is not possible to make the needed park improvements and at the same time provide these people with the crossings it is their right to have, and which it is the duty of the city to build, for the reason that the money is not to be had for both purposes.

We do not wish to be understood as decrying or opposing park improvements. It is very necessary, as the zeal and efforts of the board of park commissioners to that end are commendable, but we believe that the board members do not fully realize the greater necessity for using the money on the intersections mentioned, as do the members of the council.

While we all want our parks to be in the best possible state of improvement, we think that the people, who having paid for sidewalks, and now find themselves unable to cross the muddy streets between such walks, with no crossings provided to keep their feet from the mud of the street, will be more pleased with crossings that they may go dry shod and free from mud from one sidewalk to another, than they would be with further park improvements, when only one is possible.

If Mr. Lewis really desires to be of service to the citizens of Ogden, instead of resigning from the board and asking that the law be repealed, he should recognize the wisdom of the small appropriation at this time and continue in the good work of administering the laws relating to the parking and planting of trees along streets, etc., as well as the maintenance of the present improvements, which the appropriation will amply cover, well knowing that the council will provide the money for further park improvements as soon as it is possible.

It is our opinion that it would have been more in the line of courtesy had the board of park commissioners personally made the request for the appropriation of \$10,000 instead of asking a member of the council to do so. Further, we believe the law creating the board of park commissioners a good one and would be pleased, indeed, if the same could be continued in good-will and harmony; but if there is to be so much of petty quibbling and needless quarrels over matters of courtesy, we believe it would be better to repeal said law.

(Signed)

SAMUEL THOMAS, CHRIS FLYGARE, J. B. DANA, J. J. HUMPHRIES, GEA. W. WILSON, Members of City Council.

dents have paid for sidewalks and other improvements, that are not supplied with crossings or other improvements, which they want and are entitled to have. It is not possible to make the needed park improvements and at the same time provide these people with the crossings it is their right to have, and which it is the duty of the city to build, for the reason that the money is not to be had for both purposes.

We do not wish to be understood as decrying or opposing park improvements. It is very necessary, as the zeal and efforts of the board of park commissioners to that end are commendable, but we believe that the board members do not fully realize the greater necessity for using the money on the intersections mentioned, as do the members of the council.

While we all want our parks to be in the best possible state of improvement, we think that the people, who having paid for sidewalks, and now find themselves unable to cross the muddy streets between such walks, with no crossings provided to keep their feet from the mud of the street, will be more pleased with crossings that they may go dry shod and free from mud from one sidewalk to another, than they would be with further park improvements, when only one is possible.

If Mr. Lewis really desires to be of service to the citizens of Ogden, instead of resigning from the board and asking that the law be repealed, he should recognize the wisdom of the small appropriation at this time and continue in the good work of administering the laws relating to the parking and planting of trees along streets, etc., as well as the maintenance of the present improvements, which the appropriation will amply cover, well knowing that the council will provide the money for further park improvements as soon as it is possible.

It is our opinion that it would have been more in the line of courtesy had the board of park commissioners personally made the request for the appropriation of \$10,000 instead of asking a member of the council to do so. Further, we believe the law creating the board of park commissioners a good one and would be pleased, indeed, if the same could be continued in good-will and harmony; but if there is to be so much of petty quibbling and needless quarrels over matters of courtesy, we believe it would be better to repeal said law.

(Signed)

SAMUEL THOMAS, CHRIS FLYGARE, J. B. DANA, J. J. HUMPHRIES, GEA. W. WILSON, Members of City Council.

SHURTLIFF AND COMPANY

Have moved Coal Office to Room 318 Eccles building. Phones: Bell, 118. Independent, 183.

The Hess Biscuit and Bread Co.

Have remodeled the Cracker Factory recently, and engaged Mr. Kinnaman, one of the best cracker bakers in the country. Goods guaranteed equal to any in the market. Money back if not as represented.

Ask Your Grocer for the Home Product

P. C. Richardson

Wholesale and Retail Dealer in

Hay, Grain, Flour and Potatoes

Also carry the best lines of Coal to be found on the market. Special attention paid to your order, whether it be one sack or a car.

OFFICE AND STORE
Next to P. O. Bell 788. Ind. 569.

1 Overcoats 1

2 Half Price 2

WATSON-TANNER CLOTHING CO.

ed to have been returning from California to his former home in Italy and asserted that he had lost a couple of grips and all his money. This, he said, was his reason for jumping from the train.

After being held at the station for several days, his shoulder, which he complained of, was found to have been severely injured and he was given medical attention and afterward taken in charge by local Italians. It was stated some time ago that he attempted to commit suicide by hanging while in the jail and it is these facts which the authorities are investigating with a view to having him deported to his native land.